

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

R & B – Warangal District – Land Acquisition for laying by-pass road to Narasampet, Mahabubabad, Yellendu road - OP No.89/96 - Balance Decretal amount of Rs.11,19,636/- to deposit in E.P. No.24 of 2008 in OP No.89/96 filed in the Hon' Court of Senior Civil Judge, Mahabubabad - Administrative Sanction – Accorded - Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R-III) DEPARTMENT

G.O.Rt.No. 794

Dated: 21-08-2010.
Read the following:-

1. G.O.Ms.No.584, TR & B Dept., dt.4-9-1987.
2. O.P.No.89/96 of Senior Civil Judge, Mahaboobabad.
3. E.P.No.24 of 2008 in the O.P. No.89/96.
4. Orders of the Hon'ble High Court of A.P. in CMP No.24456/99 in A.S. No.2482/92.
5. G.O.Ms.No.535, TR & B Dept., dt.10-7-2000.
6. Orders of Hon' High Court in WP MP No.8240/09 in WP No.6318/09, dt.5-3-2009
7. From the E-in-C (R&B), SR, Hyd., Lr.No.45127/DEE-5/AEE-1/LA/03, dt.04-07-2009.
8. G.O.Rt.No.73, TR & B (R-III) Dept., dt.19-1-2010.
9. From the E-in-C, SR, Hyd., Lr.No.45127/DEE5/AEE1/LA/2003, dt.15-7-2010

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ORDER:

In G.O. 1st read above, Government have accorded administrative sanction for the work "Construction of by-pass road connecting Narasampet, Mahaboobabad and Yellendu road" for Rs.20.00 lakhs. An extent of 9.26½ Acres of Patta Land at Mahaboobabad and Gumudoor villages of Mahabubabad division was acquired under Land Acquisition Act for the said by-pass road and an amount of Rs.15,94,068/- was paid to the awardees. The awardees filed a petition under section 18 of the Land Acquisition Act in the Honorable Court of Sr. Civil Judge, Mahaboobabad for enhancement of the value of the lands acquired. The Honorable Court of Sr. Civil Judge, Mahaboobabad in their judgment in O.P. No.89/96 have enhanced the market value. Accordingly the claimants have filed E.P. in O.P. No.89/96 for execution of the decree.

2. The Roads & Buildings department has filed an appeal in EMD No.24456/99 in A.S. No.2482/99 against the judgment and Decree in the Hon' High Court of A.P., Hyd. seeking stay of all further proceedings. The Hon' High Court granted interim stay on condition of depositing 50% of the enhanced amount. Accordingly, Government, vide G.O. 5th read above, have sanctioned an amount of Rs.28.68 lakhs i.e. 50% of the decretal amount to deposit in the Hon' Court of Sr. Civil Judge, Mahaboobabad.

3. The Hon'ble High Court in its interim orders, dt. 5-3-2009, in W.P.M.P.No.8240/2009 in W.P. No.6318/2009 have directed the respondent i.e. Land Acquisition Officer, Mahaboobabad, Warangal District to deposit the enhanced compensation awarded in O.P.No.89/1996, dt. 9-3-1999 on the file of Sr. Civil Judge's Court, Mahaboobabad, Warangal district as confirmed by the Hon' High Court in A.S. No.2482/92, dt.3-7-2008 pending W.P. No.6318/2009.

4. Based on the proposal of the Engineer-in-Chief (R&B), State Roads, Hyderabad, Government has already sanctioned an amount of Rs.22,64,022/- in G.O. 8th read above towards part of the decretal amount for depositing with the Hon'ble Court of Senior Civil Judge, Mahaboobabad.

5. The Engineer-in-Chief (R&B), State Roads, Hyderabad in his letter 9th read above has requested to sanction the amount of Rs.11,19,636/- towards balance decretal charges to be deposited in E.P. No.24 of 2008 in O.P. No.89/96 of Sr. Civil Judge, Mahabubabad.

6. Government, after careful examination of the proposal of the Engineer-in-Chief (R&B), State Roads, Hyderabad, hereby accord administrative sanction for an amount of Rs.11,19,636/- (Rupees Eleven Lakhs Nineteen Thousand Six Hundred and Thirty Six only) towards payment of remaining decretal amount for depositing with the Hon'ble Senior civil Judge court at Mahabubabad in the E.P. filed in O.P. No.89/96.

7. The amount sanctioned in para (5) above shall be met initially by way of an advance from the contingency fund from the head of Account "MH 5054-COL on Roads and Bridges, 04-District and Other Roads, MH-800-Other Expenditure, GH-11-Normal State Plan, SH(08)-Other Roads, 530-Major Works, 532-Lands (charged)". Orders regarding release of the amount from contingency fund will be issued by Finance (BG) Department separately.

8. The Engineer-in-Chief (R&B), State Roads, Hyderabad shall send necessary proposals to Government during the current financial year 2009-10 at appropriate time for obtaining supplementary Grant to recoup the advance sanctioned from the contingency funds.

8. This order issues with the concurrence of Finance (Expr. PW) Department vide their U.O. No 20228-A/566/A2/Expr.PW/10, dt.05-08-2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (R&B), State Roads, Hyderabad
Copy to
The Finance (Expr. PW) Dept.
The Accountant General, A.P., Hyd.
The Pay and Accounts Officer, A.P., Hyd.
The P.S. to Minister (R&B)
The P.S. to Prl. Secy to Govt. TR&B Dept.

//Forwarded: By Order//

SECTION OFFICER